

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN NIGRO.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

PRESENT: CHAIRMAN TODD NIGRO, MEMBERS STEVEN EVANS, BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

Excused: VICE CHAIRMAN RICHARD TRUESDELL

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., MARIO SUAREZ, – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., PETER LOWENSTEIN – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, RICK SCHRODER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, STACEY CAMPBELL – CITY CLERK'S OFFICE

MINUTES:

GARY LEOBOLD, Planning and Development Department, introduced the new Deputy Director for the Planning Department, MARIO SUAREZ, and PETER LOWENSTEIN, Planner.

MR. LEOBOLD stated that the applicants for the following items requested the items be held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests.

Item 8 [ZON-5669]	Abeyance to 4/28/2005 Planning Commission Meeting
Item 9 [SUP-5894]	Abeyance to 4/14/2005 Planning Commission Meeting
Item 10 [SDR-5893]	Abeyance to 4/14/2005 Planning Commission Meeting
Item 12 [VAR-5945]	Withdrawn Without Prejudice
Item 24 [VAR-6228]	Abeyance to 4/14/2005 Planning Commission Meeting
Item 25 [SDR-6105]	Abeyance to 4/14/2005 Planning Commission Meeting

Item 34 [SDR-6109] Abeyance to 4/28/2005 Planning Commission Meeting
Item 35 [SDR-6111] Abeyance to 4/14/2005 Planning Commission Meeting

Regarding Item 2 [TMP-6110], GINA VENGLASS, Public Works, requested that Condition 8 be deleted, as it is no longer necessary.

MR. LEOBOLD also indicated that staff requested the following item be held in abeyance.

Item 37 [TXT-5773] Abeyance to 4/14/2005 Planning Commission Meeting

CHAIRMAN NIGRO explained to RICHARD WILLIAMS, representative for the Nevada Carpenters Union, 501 N. Lamb Boulevard, that Item 12 [VAR-5945] was not held in abeyance but was Withdrawn Without Prejudice. Should the applicant desire to move forward, they would have to re-apply with a new application. MR. LEOBOLD added that the applicant had redesigned the Site Plan to meet the Code for tandem parking. As a result, the Variance for tandem parking is no longer required, but the project is still underway. MR. WILLIAMS desired to express some concerns relative to the project. MARGO WHEELER, Planning and Development, confirmed for COMMISSIONER McSWAIN that the project had been before the City Council and was approved. COMMISSIONER McSWAIN informed MR. WILLIAMS that he could voice his concerns, on record, during Citizens Participation.

Regarding Item 8 [ZON-5669], MR. LEOBOLD informed COMMISSIONER DAVENPORT that this is the second abeyance request. However, on Item 9 [SUP-5894] and Item 10 [SDR-5893], this is the first abeyance request.

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

(6:02 – 6:09)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

SUBJECT:

Approval of the minutes of the February 24, 2005 Planning Commission Meeting

MOTION:

EVANS - APPROVED - UNANIMOUS with GOYNES abstaining as he was not present at the aforementioned meeting and TRUESELLE excused

MINUTES:

There was no discussion.

(6:01)

1 - 60



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6092 - TENTATIVE MAP - BROADSTONE AT DESERT SHORES (A CONDOMINIUM SUBDIVISION) - APPLICANT: AZTEC ENGINEERING - OWNER: DESERT SHORES, L.L.C. - Request for a Tentative Map FOR A 424 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT on 19.23 acres at 3151 Soaring Gulls Drive (APN 138-16-110-001), R-PD5 (Residential Planned Development - 5 units per acre) Zone, Ward 4 (Brown).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Consent Item 1 [TMP-6092], APPROVED Consent Item 3 [ANX-6042] and Item 4 [ANX-6060]; and APPROVED subject to conditions and deleting Condition 8 on Consent Item 2 [TMP-6110] – UNANIMOUS with McSWAIN abstaining on Item 4 and TRUESDELL excused

This is Final Action

NOTE: Commissioner McSwain abstained on Item 4 [ANX-6060], as the present owner of Royal Construction is involved in another project that her company, Terra Contracting, is doing work for.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:09 – 6:10)

1-301

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 1 – TMP-6092

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-5890).
3. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Include the following note on the Final Map: Any area not occupied by a building shall be a public drainage easement to be privately maintained by the Homeowners' Association.
6. Site development to comply with all applicable conditions of approval for SDR-5890 and all other subsequent site-related actions.
7. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

TMP-6110 - TENTATIVE MAP - JUHL - APPLICANT: CITYMARK DEVELOPMENT, LLC - OWNER: OFFICE DISTRICT PARKING I, INC. - Request for a Tentative Map FOR A 345 UNIT MIXED-USE CONDOMINIUM DEVELOPMENT on 2.39 acres adjacent to the southeast corner of Third Street and Bonneville Avenue (APNs 139-34-311-095 through 102 and 139-34-311-105 through 110), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions Consent Item 1 [TMP-6092]; APPROVED Consent Item 3 [ANX-6042] and Item 4 [ANX-6060]; and APPROVED subject to conditions and deleting Condition 8 on Consent Item 2 [TMP-6110] – UNANIMOUS with McSWAIN abstaining on Item 4 and TRUESDELL excused

This is Final Action

NOTE: Commissioner McSwain abstained on Item 4 [ANX-6060], as the present owner of Royal Construction is involved in another project that her company, Terra Contracting, is doing work for.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:09 – 6:10)

1-301

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 2 – TMP-6110

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Special Use Permit (SUP-5686) to allow Mixed-Use development and Special Use Permit (SUP-5690) to allow Live/Work units, Site Development Plan Review [SDR-5692] and the Downtown Centennial Plan Development Standards.
3. Prior to the recordation of the Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
7. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community,

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 2 – TMP-6110

CONDITIONS – Continued:

or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

Public Works

8. The Final Map for this site shall be labeled as a Merger and Re-subdivision map.
9. All existing alley rights-of-way in conflict with this site design must be vacated prior the issuance of any permits or recordation of a Final Map for any area overlying or abutting the public alley.
10. Site development to comply with all applicable conditions of approval for SDR-5692 and all other applicable site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

ANX-6042 - ANNEXATION - APPLICANT/OWNER: LEECH WEST, LLC - Petition to Annex property generally located on the west side of Jones Boulevard, between Tropical Parkway and El Campo Grande Avenue (APNs 125-26-704-002, 125-26-707-002 and 005), containing approximately 10.00 acres, Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions Consent Item 1 [TMP-6092]; **APPROVED** Consent Item 3 [ANX-6042] and Item 4 [ANX-6060]; and **APPROVED** subject to conditions and deleting Condition 8 on Consent Item 2 [TMP-6110] – **UNANIMOUS** with McSWAIN abstaining on Item 4 and TRUESDELL excused

To be forwarded to City Council in Ordinance form

NOTE: Commissioner McSwain abstained on Item 4 [ANX-6060], as the present owner of Royal Construction is involved in another project that her company, Terra Contracting, is doing work for.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:09 – 6:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

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CONSENT

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DISCUSSION

SUBJECT:

ANX-6060 - ANNEXATION - APPLICANT/OWNER: SERGE CHARBONNEAU, ET AL - Petition to annex land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres (APNs 138-03-510-023, 024, and 025), Ward 6 (Mack).

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions Consent Item 1 [TMP-6092]; **APPROVED** Consent Item 3 [ANX-6042] and Item 4 [ANX-6060]; and **APPROVED** subject to conditions and deleting Condition 8 on Consent Item 2 [TMP-6110] – **UNANIMOUS** with McSWAIN abstaining on Item 4 and TRUESDELL excused

To be forwarded to City Council in Ordinance form

NOTE: Commissioner McSwain abstained on Item 4 [ANX-6060], as the present owner of Royal Construction is involved in another project that her company, Terra Contracting, is doing work for.

MINUTES:

CHAIRMAN NIGRO stated this is a Consent item.

(6:09 – 6:10)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-6003 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: VIACOM OUTDOOR - OWNER: WMC III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED ONE EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGN on property bounded by U.S. 95, I-15 and Grand Central Parkway (APN 139-33-511-004), PD (Planned Development) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 04/20/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for RQR-1974

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the public hearing open.

GARY LEOBOLD, Planning and Development, summarized the review. He stated that while portions of the development has commenced, the subject sign could remain, as it is oriented towards the Interstate 15 and U.S. 95 freeways. Typically billboards are not conducive to redevelopment efforts, so these billboards need to be reviewed on an on-going basis to ensure compatibility. Staff felt that a one-year review on this application was vital, due to redevelopment efforts with the World Market Center.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 5 – RQR-6003

MINUTES – Continued:

RYAN ARNOLD, 3225-B S. Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff's conditions.

MR. LEOBOLD confirmed for COMMISSIONER STEINMAN that the second phase of the World Market Center has begun with a few other approved site plans for the subject site. Staff just received a staging plan and will review with the applicant. Staff felt it was appropriate to review the overall site to determine whether off premise advertising would work with the final product of this development. Because of the subject billboard's location, staff would support it for at least another year.

MR. ARNOLD stated that although the subject billboard is one of the taller ones in the valley, it is also located near some of the overpasses. COMMISSIONER STEINMAN then asked how the applicant would design a billboard sign that was compatible to the World Market Center. MR. ARNOLD felt he could not respond adequately, as he was not the architect and this would have to be looked at with the upcoming development. COMMISSIONER STEINMAN stressed that the applicant needed to be prepared with a design compatible with the upcoming development. MR. LEOBOLD added that there would be temporary tents on the subject site placed north of Discovery Drive, which would be considered temporary development. The permanent structures would replace the tents as the project proceeds over the next five years.

COMMISSIONER EVANS did not generally oppose billboards, as long as they are not located within residential areas or blocking scenic vistas. He stated he would support the application with the one-year review.

No one appeared in opposition.

CHAIRMAN NIGRO declared the public hearing closed.

(6:12 – 6:20)

1-398

CONDITIONS:

Planning and Development

1. This Use shall be reviewed in one year at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 5 – RQR-6003

CONDITIONS – Continued:

2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

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PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-6095 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: STREAMLINE TOWER, LLC - Petition to Vacate a Public Sewer Easement adjacent to the southeast corner of Las Vegas Boulevard and Ogden Avenue, Ward 5 (Weekly).

SET DATE: 04/06/05

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

COMMISSIONER STEINMAN requested Item 5 [RQR-6003] be pulled from One Motion/One Vote so a discussion could take place.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 6 – VAC-6095

MINUTES – Continued:

(6:10 – 6:12)
1-327

CONDITIONS:

1. The existing sewer main must be relocated prior to recordation of the Order of Vacation, unless an alternative arrangement is approved by the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to or concurrent with the recordation of an Order of Vacation.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

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PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-6106 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: OFFICE DISTRICT PARKING I, INC. - Petition to Vacate Fourth Street Corridor Landscape Easements at 600, 612, and 618 South Fourth Street, Ward 1 (Tarkanian).

SET DATE: 04/06/05

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends **APPROVAL**

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

COMMISSIONER STEINMAN requested Item 5 [RQR-6003] be pulled from One Motion/One Vote so a discussion could take place.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 7 – VAC-6106

MINUTES – Continued:

(6:10 – 6:12)
1-327

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-5669 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: SMOKE RANCH, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 5.33 acres at the southeast corner of Smoke Ranch Road and Decatur Boulevard (APN 139-19-101-002), Ward 5 (Weekly).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the April 28, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SUP-5894 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH, INC. - Request for a Special Use Permit FOR A PROPOSED CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Tenaya Drive and Azure Way (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the April 14, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-5893 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-5894 - PUBLIC HEARING - APPLICANT: THE MONTECITO COMPANIES - OWNER: AZURE SOUTH INC. - Request for a Site Development Plan Review FOR A PROPOSED 3,500 SQUARE FOOT CONVENIENCE STORE WITH FUEL PUMPS AND WAIVERS OF THE 70% GLAZING AND THE 330 FOOT SEPARATION REQUIREMENTS on 1.43 acres adjacent to the southwest corner of Tenaya Way and Azure Drive (APN 125-27-222-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the April 14, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - RQR-5683 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR - OWNER: W M C III ASSOCIATES, LLC - Required One Year Review of an approved One Year Required Review (RQR-1974) WHICH APPROVED EIGHT EXISTING OFF-PREMISE ADVERTISING (BILLBOARD) SIGNS on property bounded by U.S.-95, I-15 and Grand Central Parkway (APN 139-33-610-005, 139-33-511-003, 004, and 139-27-410-005, 008), PD (Planned Development) Zone, Ward 5 (Weekly).

IF APPROVED: C.C.: 04/20/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for RQR-1974

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with STEINMAN voting NO and TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, gave a brief overview of the application. As with a previous application, he emphasized the importance of having a review period. The applicant has informed staff that a longer review period is desirable. Staff would not support that request

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 11 – RQR-5683

MINUTES – Continued:

given the number of billboards with this application and the ongoing development on the subject site. The subject site will look different three years from now and staff would not have had the opportunity to ensure these billboards were integrated or realigned with the newer development.

ROD CARTER, 2880 Mead Avenue, expressed gratitude for staff's assistance on the application. He confirmed that the applicant would like to have a three-year review. He is aware that as the subject site is developed, the billboard would need to be upgraded. He concurred with staff's recommendations and asked for approval with a three-year review.

MR. LEOBOLD confirmed for COMMISSIONER DAVENPORT that there is an upcoming billboard application, which will be on the April 14th Planning Commission's agenda. The request will be to relocate the billboard to a new building. CHAIRMAN NIGRO added that just because the upcoming application will be on the agenda, it does not preclude the Commission from removing the subject billboard at that time.

COMMISSIONER STEINMAN stated that the two most southerly billboard signs closest to Charleston Boulevard are in a developed area and should be removed. He felt that as development occurs, the billboards should be removed. He does not object to the two billboard signs to the north remaining for another year, as the staging process for development has not been determined. He adamantly opposed a three-year review and questioned when the process would begin in removing these billboard signs.

COMMISSIONER McSWAIN agreed with COMMISSIONER STEINMAN on not supporting a three-year review. However, she felt it was reasonable to allow the one-year review on all of the billboard signs, as the applicant would have the opportunity to design something comprehensively for all the billboards. The entire site is not yet completely developed and removing only some of the billboards now could possibly create a complication relative to continuity. In her opinion, she felt that the subject site was an appropriate area for billboards.

CHAIRMAN NIGRO felt that the Commission was moving forward and felt it was sensible to allow the one-year review so that the applicant has time to comprehensively look at these billboard signs in relation to the upcoming development. Ultimately, the billboard signs would either be upgraded or removed. MR. CARTER added that they would agree with any future decisions relative to the billboard signs being upgraded. Although COMMISSIONER STEINMAN agreed with MR. CARTER that the Chelsea billboard signs were upgraded beautifully, he stressed to MR. CARTER that the applicant should have been prepared at this meeting with a plan to upgrade the subject signs, particularly for the two most southerly ones.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 11 – RQR-5683

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:20 – 6:31)

1-652

CONDITIONS:

Planning and Development

1. This Use shall be reviewed in one year at which time the City Council may require the Off-Premise Advertising (Billboard) Signs to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Signs are removed.
2. If the existing Off-Premise Advertising (Billboard) Signs structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Signs structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of the Downtown Centennial Plan and Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
3. The Off-Premise Advertising (Billboard) Signs and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Signs.
4. All City Code requirements and design standards of all City Departments shall be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-5945 - VARIANCE - PUBLIC HEARING - APPLICANT: HIGHRISE PARTNERS LTD., LLC - OWNER: SCANDIA FAMILY FUN CENTERS -
 Request for a Variance TO ALLOW TANDEM PARKING SPACES IN EXCESS OF 30 PERCENT OF THE OVERALL REQUIRED PARKING FOR A 50 STORY MIXED-USE PROJECT adjacent to the northwest corner of Rancho Road and Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be WITHDRAWN WITHOUT PREJUDICE.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-6023 - SITE DEVELOPMENT PLAN REVIEW - APPLICANT
OWNER: CHARLESTON FESTIVAL, LLC - Request for a Site Development Plan Review
FOR A 94,978 SQUARE-FOOT COMMERCIAL DEVELOPMENT on 10.21 acres adjacent to
the southeast corner of Torrey Pines Drive and Casada Way (APN 138-35-801-002, 138-35-803-
001, and 138-35-403-005), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Excerpts and Photos by Leo Mainwal

MOTION:

GOYNES – APPROVED subject to conditions and amending the following condition:

3. All development shall be in conformance with the site plan dated stamped 03/16/05 and the landscaping plans date stamped 03/07/05, except as amended by conditions herein.

– UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning & Development, gave a brief overview of the application. Since the project was approved, several changes have been proposed to the overall site. The changes required a new Site Development Plan Review, which is the subject application. The revised site

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 13 – SDR-6023

MINUTES – Continued:

plan indicates a reduction in the total building square footage from 95,050 to 94,978. The east property line has been adjusted based on a boundary survey. An additional 0.45 acres located at the northwest corner of the property has been added to the site, which consisted of 40 additional parking spaces and no access to Torrey Pines or the existing gas station/restaurant to the south. The screen wall along Casada Way is now six feet except along the loading dock where it is 10 feet. Staff recommended approval of the application.

RUDY STARKS, Perkowitz & Ruth Architects, 3980 Howard Hughes Parkway, Ste. 450, Las Vegas, NV 89109, appeared on behalf of the applicant and concurred with all conditions. He also thanked staff for their assistance on this project and introduced TED KRUGER, Bullseye Commercial.

GENE LONARDO, 6300 Blair Way; JUNE INGRAM, Charleston Neighborhood Preservation and KAREN INGRAM, 609 N. Torrey Pines all commended the applicant in their efforts with addressing the residents' concerns and were eager to see the proposed development proceed forward.

MARGO WHEELER, Planning and Development, noted that there was one letter of protest that was not included in the backup. The letter of protest was from the property owner to the east of the subject site.

LEO T. MAINWAL, Mr. Pool and Mrs. Patio, 6220 W. Charleston Boulevard, owns the property adjacent to the subject site. He supported the project and believed it would benefit the neighborhood. However, he felt that many of the revisions were done to satisfy the developer, staff, residents to the north and the Wal Mart store, but none of those changes address how the proposed development would impact its closest neighbor, his business. He submitted a handout with photos depicting the location of his business, the subject site and other nearby businesses along Charleston Boulevard. Given the proposed setbacks of the subject development, he pointed out that visibility of his business would be a problem. He suggested that the setbacks of the proposed development be identical to the setbacks of his business, which would alleviate the visibility concern. MR. MAINWAL informed COMMISSIONER EVANS that he had discussed his concerns with the applicant.

MR. STARKS responded that one of the original conditions of approval was that the applicant would continue to work with Nevada Department of Transportation (NDOT), as Charleston Boulevard is a NDOT highway. He stated that NDOT directed the applicant to locate the buildings to the front of the subject site, which created a longer throat depth at the signalized intersection of Campus Drive and Charleston Boulevard. NDOT determined that this intersection would be the

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 13 – SDR-6023

MINUTES – Continued:

primary access point to the community college, which is located directly across the street from the subject site. He pointed out that the setback requirements for the chiropractic business adjacent to MR. MAINWAL's business had changed, as the requirements now are that of the Las Vegas Urban Design Guidelines and Standards.

GINA VENGLASS, Public Works, confirmed for COMMISSIONER McSWAIN that NDOT would require the extended throat depth in the subject area. It is also NDOT'S discretion to determine how a problem, such as the building location in this case, would be resolved. COMMISSIONER McSWAIN did not feel the proposed development would hinder MR. MAINWAL'S business and suggested using other strategies for advertising. She felt that the activity from the Wal Mart shopping center could benefit the entire subject site, and she would support the application.

COMMISSIONER EVANS questioned if it was possible to have a monument sign that would extend further out to Charleston Boulevard for MR. MAINWAL'S business, which would allow for greater visibility. MR. STARKS responded that MR. MAINWAL'S advertising sign is already located on the street at the maximum limitations allowed.

MS. WHEELER stated that Condition 3 needed to be amended, as the date stamp for the Site Plan should reflect 03/16/05.

MR. STARKS confirmed for CHAIRMAN NIGRO the applicant's concurrence with all conditions.

CHAIRMAN NIGRO declared the Public Hearing closed.

(6:20 – 6:31)

1-652

CONDITIONS:

Planning and Development

1. The south elevation of buildings D and E as shown on elevations date stamped 03/07/05, which shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation. The buildings shall carry the same level of detail around all sides of a building providing for a more consistent design and higher quality of development.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 13 – SDR-6023

CONDITIONS – Continued:

3. All development shall be in conformance with the site plan date stamped 03/15/05 and the landscaping plans date stamped 03/07/05, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 13 – SDR-6023

CONDITIONS – Continued:

14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
16. Delivery hours shall be between 5:30 A.M. and 10:00 P.M. A one-year review from the time a temporary or permanent Certificate of Occupancy is issued for the delivery hours.

Public Works

17. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision map or other mapping is necessary; if a map or joining is required, it should record prior to the issuance of any permits for this site.
18. Construct all incomplete half-street improvements on Charleston Boulevard, Torrey Pines Drive, Blair Way, Bishop Drive and Casada Way adjacent to this site concurrent development of this site. Also, construct bus turnouts on Charleston Boulevard and Torrey Pines Drive. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development. Improvements on Charleston Boulevard shall receive approval from the Nevada Department of Transportation.
19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A. Access of any type, including construction traffic, shall not be taken from the proposed Campus Drive entry until all necessary modifications to the existing traffic signal are complete. All work within the Charleston Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 13 – SDR-6023

CONDITIONS – Continued:

- in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
 22. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-49-99 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6100 - REZONING - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [SC-TC (SERVICE COMMERCIAL – TOWN CENTER) SPECIAL LAND USE DESIGNATION] on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

GARY LEOBOLD, Planning & Development, gave an overview of the applications and pointed out that the proposed mini storage facility is a permitted use in the Service Commercial – Town Center (SC-TC) district with the approval of a Special Use Permit. There are no developed mini storage facilities in Town Center, other than at Montecito East on Tenaya Way and Azure Avenue, which has not been developed yet. The rezoning request to Town Center is appropriate.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 14 – ZON-6100

MINUTES – Continued:

The proposed mini-storage facility would be adjacent to the northeast corner of Centennial Parkway and Kevin Way. Title 19 limits individual storage compartments to a maximum of 500 square feet, but some of the proposed storage units are 600 square feet. Staff would like the size of the units to comply with the Code.

Regarding the Vacation, the applicant would like to vacate the existing U. S. Government Patent Easements because they are no longer needed in their current configuration. The Vacation would allow for the development of a 91,387 square foot mini-storage facility and parking on this site. The request is appropriate, as the subject easements are not needed and would not result in reduced access or traffic handling capability for the area.

The applicant is providing only 13 percent open space, which is a 35 percent deviation from the standard. Because there is no legal basis for the request, staff recommended denial on the open space request. Because of the denial of the variance, the site plan has to be denied as well. There are a number of waivers to be considered with the site plan request. There is a side yard of three feet where 10 feet is required and a rear yard of three feet where 20 feet is required. As a result, the eight-foot buffer requirement would be reduced. The applicant is asking for 61 percent of lot coverage where 50 percent is the maximum. In addition, staff was just advised by the applicant that additional land is now available on the north and east sides of the subject site, which is sufficient enough to rid the buffer waiver but not the setback requirements.

With the current site plan, staff felt that the proposed development was overbuilt. The design necessitates the variance and waiver requests. If the site were built smaller, it would enable the requirements to be met. As a result, staff recommended denial on these requests. If approved, staff added a condition that required revising the Site Plan that reflected proper design and streetscape of Centennial Parkway, which is a Town Center primary arterial.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV appeared on behalf of the applicant. ATTORNEY GRONAUER gave an overview of the subject site and the applications. He pointed out that the proposed mini storage would act as a good buffer to the zoned Residential property on the west side of Kevin Way and to the south side of Centennial Parkway.

After reviewing staff's recommendations and realizing there was additional land, the applicant would be able to provide the eight-foot landscaping along the north property line and in some areas up to 10 feet. In addition, the applicant would provide additional trees at an average of 15 feet on center along the north property line as well.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 14 – ZON-6100

MINUTES – Continued:

Regarding the setback issues, the rear yard setback requirement is 20 feet from the property line. If the building were moved 20 feet inward, a block wall would have to be built approximately eight feet along the northern property line. As a result, a block wall eight feet away from the landscaping creates dead space, which can become a safety issue.

Regarding the waiver request on the east property line, the side yard setback from the building is 10 feet. By coming in with an additional five feet of landscaping in this area, there would be up to 10 feet of landscaping in some areas, which meets the waiver setback requirement to the building except in areas with architectural pop outs. ATTORNEY GRONAUER also pointed out certain areas on the site plan, such as the eastern elevation along the property lines, that would have pop outs with different colors using the actual buildings themselves.

He continued by stating that the most visible detail noticed when viewing storage facilities is the exterior perimeter, so it would be difficult to determine the amount of lot coverage that exists. The only access to these facilities is for those who are actually leasing one of the storage units. The design of the proposed mini storage exceeds the design on a typical storage facility. In addition, the site is small; therefore, much of the landscaping is on the exterior of the building.

In response to CHAIRMAN NIGRO'S question regarding reducing the size of the storage units, ATTORNEY GRONAUER stated the applicant would comply if it was a Code requirement.

COMMISSIONER McSWAIN pointed out that this use is allowed within Town Center. However, the Code would need to be changed to allow certain exceptions to be part of the standard or there will always be variances. Based on the way the proposed building was set and because some of the requirements were exceeded, it was COMMISSIONER McSWAIN's opinion that the requested Variances were warranted. She would support the application.

COMMISSIONER STEINMAN asked how far the wall of the building on the east side was from the property line to the east. ATTORNEY GRONAUER responded that it would be eight to 10 feet on the north and east property lines, and the buildings would be set back appropriately. He then confirmed for COMMISSIONER STEINMAN that the travel lane through the property would not be eliminated, as the lane was approved by the Fire Department and cannot be altered. For the record, ATTORNEY GRONAUER stated that the building would have to be reduced according to the site plan presented at this meeting, should he find out that the actual footage is less than that of eight to 10 feet.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 14 – ZON-6100

MINUTES – Continued:

COMMISSIONER GOYNES was pleased that the proposed building was two stories and not three stories. As there are only two other adjacent parcels, he did not believe that a precedent would be set for Service Commercial throughout this neighborhood. He commended the applicant on the architectural design and the improved landscaping.

CHAIRMAN NIGRO agreed with COMMISSIONER GOYNES. Since the building would be only two stories, he could support the lot coverage request. ATTORNEY GRONAUER confirmed for CHAIRMAN NIGRO that there would be trees 15 feet on center on the east and north property lines.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing open on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

CONDITIONS:

Planning and Development

1. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.

Public Works

2. Dedicate right-of-way required for a bus turnout at the intersection of Centennial Parkway and Kevin Way prior to the issuance of any permits.
3. Construct half-street improvements including appropriate overpaving on Kevin Way and Centennial Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
4. Extend public sewer in Kevin Way to the northern edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 14 – ZON-6100

CONDITIONS – Continued:

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-6101 - VACATION RELATED TO ZON-6100 - PUBLIC HEARING - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Petition to Vacate U.S. Government Patent Easements generally located north of Centennial Parkway, east of Kevin Way, Ward 6 (Mack).

SET DATE: 04/06/05

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 15 – VAC-6101

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Rezoning application ZON-6100 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6099 - SPECIAL USE PERMIT RELATED TO ZON-6100 AND VAC-6101- PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Special Use Permit FOR A PROPOSED MINI STORAGE FACILITY adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 16 – SUP-6099

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under the Town Center Development Standards for a Mini-Storage Facility use.
2. Pursuant to Title 19.20, individual storage units may not be larger than 500 square feet in size.
3. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100) and Site Development Plan Review (SDR-6097).
4. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6230 - VARIANCE RELATED TO ZON-6100, VAC-6101, AND SUP-6099 - APPLICANT: LAACO, LTD/STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Variance TO ALLOW 13 PERCENT OF THE GROSS PROPERTY AREA PROPOSED TO BE ADDED TO THE T-C (TOWN CENTER) ZONE TO BE OPEN SPACE WHERE A MINIMUM OF 20 PERCENT IS REQUIRED on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 17 – VAR-6230

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6100), Special Use Permit (SUP-6099) and Site Development Plan Review (SDR-6097), if approved.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6097 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6100, SUP-6099, VAR-6230 AND VAC-6101 - PUBLIC HEARING - APPLICANT: LAACO, LTD./STORAGE PROPERTIES, INC. - OWNER: PROJECT K, LLC - Request for a Site Development Plan Review FOR A PROPOSED MINI STORAGE FACILITY AND WAIVERS FOR A THREE FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED, A THREE FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED, AND TO ALLOW 61 PERCENT LOT COVERAGE WHERE 50 PERCENT IS THE MAXIMUM ALLOWED on 1.94 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way (APN 125-20-402-007), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone [SC-TC (Service Commercial – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions and amending the following condition:

5. **Waivers of setbacks to provide eight to 10 foot building setbacks on the north and east side property lines and of perimeter landscaping to include 24 inch box trees 15 feet on center on the north and east property lines are hereby approved.**
– UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 18 – SDR-6097

MINUTES:

See Item 14 for related discussion on Item 14 [ZON-6100], Item 15 [VAC-6101], Item 16 [SUP-6099], Item 17 [VAR-6230] and Item 18 [SDR-6097].

(6:48 – 7:13)

1-1670

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-6100) to a T-C (Town Center) Zoning District approved by the City Council.
2. Approval of a Variance (VAR-6230) to allow open space on less than 20 percent of the gross site area.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations date stamped 03/16/05, except as amended by conditions herein.
5. Waivers of setbacks and perimeter landscaping are hereby approved.
6. Trash enclosures shall be roofed in accordance with the Commercial Development Standards.
7. Pursuant to the Town Center Development Standards Section D.1.G, all on-site signage shall be approved by the Centennial Hills Town Center Architectural Review Committee (CHARC) by separate application.
8. Prior to the time application is made for a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
9. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect Centennial Parkway as a 100-foot Town Center Primary Arterial with a two foot six inch amenity zone and a five-foot sidewalk. Within the Amenity Zone (except where adjacent to the proposed bus turnout), trees shall be spaced 35 feet on center in an alternating pattern consisting of one shade tree and two palm trees with decomposed granite and a minimum of

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 18 – SDR-6097

CONDITIONS – Continued:

one third, five-gallon plant material as groundcover. Four additional 24 inch box shade trees shall be planted in the landscape buffers along Centennial Parkway and Kevin Way. A total of five 24 inch box trees shall be shown in the parking area. The plan shall indicate a minimum of four (4) five-gallon shrubs for each 24 inch box tree within provided planters along the perimeters and a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24 inch box tree provided within parking lot planters.

10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
11. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to the time application is made for a building permit on this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Landscape and maintain all unimproved rights-of-way, if any, on Centennial Parkway and Kevin Way adjacent to this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 18 – SDR-6097

CONDITIONS – Continued:

18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
19. Site development to comply with all applicable conditions of approval for ZON-6100 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6116 - REZONING - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

PETER LOWENSTEIN, Planning & Development, gave a brief overview of the applications. He stated that the applicant is requesting a 56 percent reduction in open space and a waiver for the required 220-foot separation distance between intersections. The waiver was noticed as a 104-foot separation; however, the applicant needs only a 129-foot separation. As there is no legal basis to grant a variance for reducing the required open space by more than 50 percent, staff recommended denial on the variance request and all accompanying applications.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 19 – ZON-6116

MINUTES – Continued:

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV, appeared on behalf of the applicant and property owner. The subject location is an out parcel adjacent to Iron Mountain Ranch. With the development in the subject area, the proposed development becomes an infill piece of property. The subject property is already Master Planned for Medium Low Density, which allows up to eight units per acre. The zone change request with the proposed development is for 68 homes with R-PD 7.

ATTORNEY GRONAUER explained some of the impacts on the design of the subject property relative to the location on Grand Teton Drive and Decatur Boulevard. Grand Teton Drive and Decatur Boulevard are both 120-foot wide streets. There is a power easement in the area that has an impact on the proposed development. The applicant is required to give an additional dedication of a minimum 10 feet for a right turn lane. The applicant is also required to provide a bus turnout on Grand Teton Drive, which would be approximately 70 feet for a 120-foot right-of-way. The egress/ingress is located on Decatur Boulevard, which only allows for right in and right out due to the median on Decatur Boulevard. The proposed development could not function with only one right in/right out on Decatur Boulevard, so another egress/ingress point will be on Grand Teton Drive. Staff agreed that this is a legal justification and/or hardship relative to the location of the intersection.

In addition, the applicant is providing a 37-foot trail buffer along Decatur Boulevard, which gives the residents a buffer to their backyards. Along Grand Teton Drive, the typical lot size is 37 x 90; however, the subject development has extended lots up to 104 feet, which adds an additional 10 feet in their rear yards. With respect to the open space, it has been placed in the rear yards as private open space. Although the number of lots allowed under Medium Low Density is 84, the applicant is proposing only 63, so there is not an attempt to take advantage of the density allowed with this type of development.

RICHARD LINSMEIER, 5017 Elkin Creek Avenue, Las Vegas, NV and STEVE ROSS, 5950 W. Rosada Way, Las Vegas, NV, both opposed the subject development. They felt that the property is an in fill property, and the immediate surrounding land is zoned R-PD5. If the developer would redesign the proposed development to R-PD5, it would alleviate the open space requirements. The subject development lacks interior open space and does not reflect other zonings in the area, such as the Iron Mountain Ranch development.

ATTORNEY GRONAUER responded that the Master Plan for the Iron Mountain Ranch development was under different circumstances. In that particular area, those properties were master planned Low Density, which is approximately 5.49 dwelling units to the acre. With the subject development, there is not a request for a General Plan Amendment. The request is a zone change to conform to the Master Plan itself. The zoning under the Code allows for some transition zoning with the subject site.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 19 – ZON-6116

MINUTES – Continued:

Although COMMISSIONER McSWAIN appreciated ATTORNEY GRONAUER'S presentation, she commented that along with the Master Plan, there are other issues to consider with development such as compatibility. She pointed out an important fact with R-PD5 zoning, as it allows for creative development in exchange for some amenities such as open space. She recognized the fact that developers are sometimes challenged with some of their sites, yet it was her opinion that the proposed development lacked creativity and open space and needed to be redesigned.

COMMISSIONER STEINMAN agreed with COMMISSIONER McSWAIN'S comments. Although he understood the subject site was challenged, he felt that the eight 30-foot lots in the middle of the proposed development were preposterous. He suggested having a park in the center of the proposed development with access to the park from Lots 50 and 61.

ATTORNEY GRONAUER also suggested removing two lots from the center of the proposed development. Instead of open space, the remaining lots would be wider and longer, similar to the other lots. COMMISSIONER STEINMAN reiterated that this would defeat the purpose of having open space, which is to provide a recreational facility within the confines of the planned development.

COMMISSIONER EVANS agreed with both of the Commissioners' comments. He added that as the City continues to grow, particularly in the northwest, the mantra is "with property values, we need the greater density". The trade-off for density is innovative, creative, pedestrian oriented designs, as was not the case with the proposed development. He was concerned that as these proposed developments come forward, they are lacking the "trade offs" in lieu of open space and have the appearance of rat mazes. Las Vegas has tremendous growth opportunities, and any upcoming development should not be shortchanged, as the bar needs to be raised.

COMMISSIONER GOYNES agreed with all the previous Commissioners' comments. He pointed out that the R-PD developments by Rapid River Court, Stumbling Colt Court and Indigo Gorge Avenue all have some open space and emphasized that the proposed development needed open space. ATTORNEY GRONAUER confirmed for the Commissioner that the easement and the trail were designed per Code and were inclusive of the open space. COMMISSIONER GOYNES then stated the proposed development could be a R-PD5 if the applicant eliminated some of the lots.

ATTORNEY GRONAUER respectfully opposed the Commission's suggestion to make the proposed development as a R-PD5. He stated that the developer is allowed up to eight dwelling units to the acre and only doing five units to the acre would not be acceptable given the

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 19 – ZON-6116

MINUTES – Continued:

aforementioned impacts on the subject site. He suggested moving forward with the zoning and waiver requests.

Although he disagreed with some of ATTORNEY GRONAUER'S presentation, CHAIRMAN NIGRO complimented him on his representation for the applicant. He could support the zoning request, as it is in compliance with the Master Plan. He expressed concern with the Site Plan, as developments at the proposed density can be done with substantial compliance of a R-PD development. He would like to see more effort put into the design of the proposed development.

ATTORNEY GRONAUER then suggested holding the Site Plan in abeyance to allow time to redesign the proposed development. However, he felt that the zoning and waiver requests were justifiable and requested moving forward with those applications. CHAIRMAN NIGRO commented that all the applications could be held in abeyance, which could give the applicant flexibility with the driveways once the subject site is redesigned.

For clarification, COMMISSIONER McSWAIN expressed that her concern was with the design of the proposed development and not so much the density, as it was the Commission's overall opinion. She explained for ATTORNEY GRONAUER that she believed it has not been the Commission's policy in the past to approve only some of the applications and have only some of the applications coming back before the Commission. She did not see any reason why all of the applications could not be held in abeyance so the applicant could redesign the subject development and bring it back before the Commission again.

ATTORNEY GRONAUER responded that an associate in their office just recently worked on another project on Ann Road and Balsam Street where a portion of the applications went forward and the Site Plan was held for review, which is why he suggested doing so in this case. COMMISSIONER McSWAIN did not think that process was the norm and would support the Commission in their decision.

MARGO WHEELER, Planning and Development, affirmed that it is the Site Plan that dictates what the standards are for that zoning. The Site Plan is required with the R-PD in order to move forward because this is where the development standards come from.

CHAIRMAN NIGRO questioned that in the past the Commission has zoned property into Town Center without a Site Plan or some properties have been zoned in Town Center and the Site Plan has been held or denied because it was conforming at that time. MS. WHEELER clarified it is specific to R-PD only.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 19 – ZON-6116

MINUTES – Continued:

MR. LEOBOLD clarified that the project on Ann Road and Balsam Street that ATTORNEY GRONAUER referred to was for a General Plan Amendment, where that application went forward because there was not a design aspect. The zoning was held with the Site Plan.

ATTORNEY GRONAUER was concerned with time constraints and preferred only a two-week abeyance. DEPUTY CITY ATTORNEY BRYAN SCOTT advised ATTORNEY GRONAUER that it would be the Commission's option to decide whether or not to hold the items in abeyance. CHAIRMAN NIGRO wanted a commitment from the applicant as to when the revised Site Plan would be submitted to ensure that staff and the Commission would have sufficient time to review the revised Site Plan prior to the meeting date. ATTORNEY GRONAUER then advised the Commission that the revised Site Plan may not meet the open space requirements but would like for the Commission to move forward once the applications are brought before the Commission again. CHAIRMAN NIGRO stated that the applicant could still apply for a waiver or variance with the redesigned Site Plan. ATTORNEY GRONAUER concurred that he would obtain the names of the residents in attendance so they could receive a copy of the revised Site Plan and have an opportunity to make comments at the meeting.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

1-2775

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

WVR-6229 - WAIVER RELATED TO ZON-6116 AND VAR-6118 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Waiver of Title 18.12.160 TO ALLOW 104 FEET BETWEEN INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED FOR A SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:

See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

1-2775

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6118 - VARIANCE RELATED TO ZON-6116 AND WVR-6229 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Variance TO ALLOW 22,056 SQUARE FEET OF OPEN SPACE WHERE 48,866 SQUARE FEET IS THE MINIMUM REQUIRED on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre)], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:

See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

1-2775

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6117 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6116 AND VAR-6118 - PUBLIC HEARING - APPLICANT: POWER REALTY - OWNER: LEE ARNOLD AND R W Y LIMITED PARTNERSHIP - Request for a Site Development Plan Review FOR A PROPOSED 68 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 9.91 acres adjacent to the northwest corner of Grand Teton Drive and Decatur Boulevard (APN 125-12-802-020), R-E (Residence Estates) Zone [PROPOSED: R-PD7 (Residential Planned Development - 7 units per acre) Zone], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – Motion to HOLD IN ABEYANCE – UNANIMOUS with TRUESDELL excused

To be held in abeyance to the 4/14/2005 Planning Commission meeting

MINUTES:

See Item 19 [ZON-6116] for related discussion on Item 19 [ZON-6116], Item 20 [WVR-6229], Item 21 [VAR-6118] and Item 22 [SDR-6117].

(7:13 – 7:51)

1-2775

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-6103 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [M-TC (Medium Density Residential - Town Center) Special Land Use Designation] on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, gave a brief overview of the application. The rezoning is in conformance with the General Plan because the subject parcels are currently designated as Town Center.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 23 – ZON-6103

MINUTES – Continued:

ATTORNEY TABITHA KEETCH, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that there were some access issues pertaining to the site design review and associated applications. Those issues were being resolved with the assistance of the Public Works Department. The applicant requested those associated applications be held in abeyance; however, ATTORNEY KEETCH indicated the applicant wanted to move forward with the rezoning due to some contractual obligations. She assured the Commission that she would be back with a great project.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(7:51 – 7:53)

2-736

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-6105) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Bath Drive and those portions of Bath Drive and Campbell Road necessary to complete the intersection in a manner acceptable to the City Engineer. Final dedication requirements shall be determined at the time of approval of the Tentative Map.
4. Construct half-street improvements on Bath Drive and those portions necessary for the Bath Drive and Campbell Road intersection adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Coordinate with the Collection Systems Planning Section of the Department of Public Works to determine sewer service for this site prior to the submittal of any construction drawings for this site.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 23 – ZON-6103

CONDITIONS – Continued:

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6228 - VARIANCE RELATED TO ZON-6103 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC - Request for a Variance TO ALLOW 38 FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 180 FOOT SETBACK IN CONJUNCTURE WITH A PROPOSED 372 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 14, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6105 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6103 AND VAR-6228 - PUBLIC HEARING - APPLICANT/OWNER: TOWNE VISTAS, LLC -
Request for a Site Development Plan Review FOR A 372 UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT COMPOSED OF SIX FOUR STORY BUILDINGS on 15.00 acres adjacent to the southeast corner of Bath Drive and Dapple Gray Road (APNs 125-20-301-012 through 014), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [M-TC (Medium Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 14, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

VAR-6084 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: CHRIS O'ROURKE - Request for a Variance TO ALLOW A FRONT YARD SETBACK OF 35 FEET WHERE 50 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE FAMILY DWELLING, AND TO ALLOW A PROPOSED SIX FOOT BLOCK WALL IN THE FRONT YARD WHERE FOUR FEET (TOP TWO FEET 50 PERCENT OPEN) IS THE MAXIMUM ALLOWED on 1.02 acres adjacent to the north side of Centennial Parkway, approximately 155 feet east of Leon Avenue (APN 125-24-404-006), R-E (Residence Estates) Zone, Ward 6 (Mack).

P.C.: FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and TRUESELL excused

This is Final Action

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development Department, gave a brief overview of the application. The applicant is proposing a six-foot solid block wall along the eastern property line and a two-foot solid, four-foot wrought iron fence along the front property line. A proposed custom home would set within the required 50-foot setback so there was a request for a 35-foot

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 26 – VAR-6084

MINUTES – Continued:

setback waiver. MR. LOWENSTEIN noted that the adjacent parcel to the east has applied for an eight-lot residential subdivision and the rear property line of that development will abut the applicant's side yard property line. Staff found no legal basis for the hardship.

CHRIS O'ROURKE, 7201 Jack Russell Street, appeared and explained that the property owner to the west has constructed a six-foot solid block wall surrounding their backyard. That neighbor's residence faces Turkey Lane and his property faces the opposite direction; therefore, his front yard sits next to his neighbor's backyard. Allowing the east property line wall to be built in the same fashion would make his property more symmetrical. Also, the proposed east property line will abut the backyards of future residential development. The developer of that site has agreed to split the cost of the wall with the applicant if approved. The applicant justified the request to approve construction of four feet of wrought iron on the front fence instead of two feet by referencing security issues and stating it would help to contain pets.

COMMISSIONER McSWAIN confirmed the request for the setback is on the south property line, the front of the proposed home. She believed that having walls extending to the front of the property on both sides afforded the applicant some latitude in regards to the setback. She could support it.

GINA VENGLASS, Public Works Department, clarified for COMMISSIONER EVANS that a notation in the staff report stating construction of the front wall would result in driver and pedestrian safety issues due to visual obstruction was made prior to learning the front wall was proposed with wrought iron. Originally, when staff reviewed the request, they were under the impression a solid wall was being requested at the front. The notation no longer applied. COMMISSIONER EVANS concurred with COMMISSIONER McSWAIN'S comments after hearing staff's explanation of the note. MR. O'ROURKE added that his driveway would not be located near either of the side walls and he would have an automatic gate.

COMMISSIONER STEINMAN questioned why the applicant was situating the home closer to the freeway. MR. O'ROURKE indicated he had plans for the backyard such as a pool and recreation area for his family. The Commissioner felt because the site was so close to the freeway, he would be willing to support the request.

COMMISSIONER DAVENPORT asked why the applicant needed to cut 15 feet of the required setback when the lot was 282 feet deep. MR. O'ROURKE indicated that he originally made his plans while considering a ½-acre parcel, which had a 35-foot setback. That property did not work out for him and he later purchased the subject lot. He assumed the subject site would

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 26 – VAR-6084

MINUTES – Continued:

have a 35-foot setback as well but was informed by staff that a one-acre parcel had a 50-foot setback requirement. COMMISSIONER DAVENPORT stated he could support the wall but not the setback.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(7:53 – 8:01)

2-796

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Acquire all necessary permits from the Department of Building and Safety.
3. This Variance shall pertain only to the principle dwellings front yard setback as well as to the proposed six-foot wall along the entire eastern and southern property line.

Public Works

4. If the existing entry gate is electrically opened and closed, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-6098 - VARIANCE - PUBLIC HEARING - APPLICANT: CLYDE CARTER - OWNER: MEI CHU K. CARTER - Request for Variances TO ALLOW A SIDE YARD SETBACK OF FOUR FEET WHERE 10 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED NEW GARAGE ATTACHED TO A DWELLING AND TO ALLOW A REAR YARD SETBACK OF 30 FEET WHERE 35 FEET IS THE MINIMUM REQUIRED FOR THE PROPOSED ATTACHMENT OF AN EXISTING GARAGE TO A DWELLING on 0.42 acres at 1220 Shadow Lane (APN 162-04-103-002), R-E (Residence Estates) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – Petition of Support from Adjacent Property Owners with Four Signatures submitted by Clyde Carter

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

NOTE: MARGO WHEELER, Director, Planning and Development Department, disclosed that because she owned property within the notification area of the application, she did not participate in the recommendation by staff and would not be participating in the discussion.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 27 – VAR-6098

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, indicated the applicant proposed to make the existing detached garage part of the house and then construct a new detached garage to the rear. A detached garage, by Code, requires a three-foot setback from the rear property line. Once the garage is attached to the house, it becomes part of the principle structure and the setback requirement increases to 35 feet. The site as designed would allow for 30 ½ feet. Also, the construction of the new detached garage requires approval of a side yard setback of four point eight feet where 10 feet is required. Staff could not find a legal basis to grant the variance.

CLYDE CARTER, 1220 Shadow Lane, appeared and concurred with all conditions. He submitted a letter of support signed by his adjacent neighbors to the front and sides of his property.

COMMISSIONER STEINMAN questioned the property indicated on the map as being the correct site. He confirmed with MR. CARTER it was not. CHAIRMAN NIGRO confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that the item could still be heard and voted upon because the address was listed correctly.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:01 – 8:07)

2-1093

CONDITIONS:

Planning and Development

1. These Variances shall expire two years from the date of final approval, unless they are exercised or an Extension of Time is granted by the City Council.
2. These Variances shall be applicable only to the new addition and existing garage as set forth on plans date stamped 02/08/05.
3. No kitchen shall be developed in conjunction with the proposed new construction or remodeling.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6067 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: PETSMART - OWNER: DTR6, L.L.C. - Request for a Special Use Permit FOR A PROPOSED PET BOARDING USE WITHIN AN EXISTING PET SHOP at 2140 North Rainbow Boulevard (APN 138-23-215-024), C-1 (Limited Commercial) Zone, Ward 6 (Mack).

IF APPROVED: C.C.: 04/20/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and adding the following conditions:

- The existing trees within the parking area located directly in front of the tenant space or PetsMart store shall be maintained or replaced if necessary, subject to review and approval by the Planning and Development Department.
 - The trash enclosure shall be constructed at the rear of the subject tenant space subject to review and approval of the Planning and Development Department.
- UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development Department, explained the proposed pet boarding facility would occupy approximately 7,000 square feet of the 26,000 square feet the PetsMart

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 28 – SUP-6067

MINUTES – Continued:

occupies. Some issues did result from a field investigation that took place after the staff report was finalized and two additional conditions were recommended. The first pertained to landscaping and the second related to the trashcans not being inside trash enclosures. Staff discussed the proposed conditions with the applicant prior to the meeting.

MICHELLE ALTIERI, 8001 Irvine Center Drive, Irvine, California, appeared on behalf of the applicant and concurred with all conditions and the new conditions as read by MR. SUAREZ. She showed the Commission some photos of a similar facility and explained the amenities of the pet hotel. The plans for the remodeling of the existing PetsMart are currently being reviewed and the facility should be open in approximately six months. MS. ALTIERI was unable to tell COMMISSIONER DAVENPORT what the per night rate of the pet suites would be.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:07 – 8:12)

2-1312

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Pet Boarding use.
2. Expiration of this Special Use Permit one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Compliance with all City code requirements and design standards of all City departments.
4. No outside activity associated with the proposed Pet Boarding use or the existing pet shop.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-6143 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CREATIVE NIGHTLIFE CONCEPTS, LLC - OWNER: MELE PONO HOLDING, COMPANY - Request for a Special Use Permit FOR A PROPOSED 3,040 SQUARE FOOT TAVERN LIMITED ESTABLISHMENT at 111 Las Vegas Boulevard South (APN 139-34-611-013), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development Department, explained that approval of the application would allow the tavern in the Downtown Entertainment Overlay District. The proposed use would occupy the building where the 7-11 store is located at the corner of Fremont Street and Las Vegas Boulevard. The business will be subject to the license requirements of Title 6.50. Signage for the business will be subject to the Las Vegas Boulevard Scenic Byway Overlay requirements and the application requires approval from the Downtown Entertainment Overlay District Architectural Review Committee.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 29 – SUP-6143

MINUTES – Continued:

FRANK ELAM, 1000 Stephanie Place, Henderson, appeared on behalf of both the owner and the applicant. He concurred with all conditions

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:12 – 8:15)

2-1508

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements of Title 19.06.120 and Title 6.50.
2. Restricted Gaming shall be prohibited within this establishment pursuant to Title 6.40.155.
3. The property owner shall be required to participate in a proportionate share of the Entertainment District Streetscape Project, to be implemented and constructed by the City of Las Vegas.
4. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Dedicate an additional five feet of right-of-way for a total half street width of 45 feet on Las Vegas Boulevard adjacent to this site and dedicate a 10 foot radius on the southeast corner of Fremont Street and Las Vegas Boulevard prior to the issuance of any permits; coordinate with the Right-of-Way Section of the Department of Public Works for assistance in the preparation of appropriate documents. This dedication shall not be enforced if the applicant submits information acceptable to Staff that shows existing permanent signage or buildings located within the area being requested for dedication.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

RQR-6122 - REQUIRED THREE MONTH REVIEW - PUBLIC HEARING - APPLICANT: DENNIS HANCOCK - OWNER: ZYGMUNT AMARETTI - Required Three Month Review of an approved Special Use Permit (SUP-2203) WHICH ALLOWED AN AUTO REPAIR GARAGE, MAJOR AND WAIVERS TO ALLOW MAJOR REPAIR AND SERVICE WORK OUTSIDE OF AN ENCLOSED BUILDING, TO ALLOW OUTDOOR HOISTS, AND TO NOT SCREEN DISABLED OR WRECKED VEHICLES FROM SURROUNDING PROPERTIES AND ADJOINING STREETS at 2101 Fremont Street (APN 139-35-804-004), C-2 (General Commercial) Zone, Ward 3 (Reese).

IF APPROVED: C.C.: 04/20/05

IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. City Council Approval Letter for SUP-2203

MOTION:

GOYNES – DENIED – Motion carried with DAVENPORT voting NO and TRUESDELL excused

This is Final Action

NOTE: An initial motion by DAVENPORT to hold the item in abeyance to the 4/14/2005 Planning Commission Meeting failed with GOYNES, NIGRO, EVANS and STEINMAN voting NO

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 30 – RQR-6122

MINUTES – Continued:

GARY LEOBOLD, Planning and Development Department, explained the request is based on SUP-2203, which was approved by the City Council in August of 2003. That approval was subject to a one-year review, which was approved in October of 2004, with a condition requiring removal of all barbed wire from the fence, installation of a green tarp for screening purposes and that the applicant would not leave any cars outside the property. Staff does not feel the applicant has fully complied with those conditions. On March 3, 2005, a site inspection revealed the barbed wire was not removed. Staff also found it difficult to determine which cars onsite were associated with a repair function.

DENNIS HANCOCK, 7981 Cadenza Lane, appeared and indicated he was out of state and missed the one-year review. His secretary attended that meeting for him and reported back to him the status of the condition changes. She had said the razor wire needed to be removed but he thought the barbed wire could remain. The wire is used for security reasons. Its removal would result in vandalism and theft.

ZYGMUNT AMARETTI, 5339 Heather Brook Circle, the landlord for the property, understood the concerns about the wire falling onto a sidewalk where pedestrians might be. However, there is no sidewalk nearby because the fence is setback 50 feet from the street. In addition, if the wire were removed, anyone could have access to this property.

DENISE CONTIGO, 7981 Cadenza Lane, was present at the review hearing in October of 2004, and she was informed at that time to put up the green mesh along the fencing to screen the cars being worked on from the view of the street and that was done. She was also told that the razor wire had to be removed. In her opinion, the applicant did comply with all conditions set forth during that review.

MARIO SUAREZ, Planning and Development Department, translated for VERONICA ORTIZ, 108 20th Street, who expressed concerns over not being able to park her catering truck in front of her home. When it was determined that her comments did not relate to the item being discussed or any item on the agenda, CHAIRMAN NIGRO asked MR. SUAREZ to direct her to contact Code Enforcement to get clarification and assistance regarding her parking issue.

DEPUTY CITY ATTORNEY BRYAN SCOTT recalled that during the review, he did not feel COUNCILMAN REESE made a distinction between the razor wire and barbed wire. The Building Code treats the two wires as similar and neither one is permitted within City limits. MARGO WHEELER, Planning and Development, clarified that the condition did read barbed wire and in looking at the photos from the review hearing, it pertained to both the barbed wire and razor wire shown.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 30 – RQR-6122

MINUTES – Continued:

CHAIRMAN NIGRO suggested there was a misunderstanding due to the term barbed wire being used to represent both types of wire. MR. HANCOCK agreed and reiterated removal of the wire would leave the property susceptible to crime. He explained to MR. HANCOCK that the wire had to come down immediately because the Planning Commission had no jurisdiction to allow it to remain. CHAIRMAN NIGRO asked if there was an application that MR. HANCOCK could file that would allow the wire. He wanted to make sure any options available to the applicant were made clear. DEPUTY CITY ATTORNEY SCOTT indicated the Building Code has a provision that would allow an exception to placing barbed wire in certain instances, but he did not have the book to read verbatim.

COMMISSIONER EVANS confirmed with MR. HANCOCK that he has another year remaining on his lease for this site. He recalled that the applicant intended to relocate to a more appropriate location once that lease was completed. The Commissioner then asked if the applicant intended to comply with the conditions.

CHAIRMAN NIGRO reiterated that Council imposed a condition prohibiting barbed wire and the Commission had no authority to allow it to stay. The applicant could apply for a Review of Condition relative to that one condition, as all other conditions would have been met. COMMISSIONER EVANS wanted it known that he would not support any application allowing the wire to go back up. He did not want the applicant to go through the entire process only to find it denied. MR. HANCOCK understood.

COMMISSIONER GOYNES asked if the applicant or owner was the responsible party. CHAIRMAN NIGRO stated that would be a private matter between them. MR. AMARETTI stated he would have it taken down but it would expose the property to invaders. COMMISSIONER GOYNES confirmed with MR. HANCOCK that there have been a few minor thefts on the property but nothing major. MS. CONTIGO indicated the interior shop is alarmed; however, there is no alarm in the lot.

COMMISSIONER STEINMAN questioned staff about allowing vehicles to be left on the lot overnight. MR. LEOBOLD indicated that any customer vehicle could be parked there and that there was no restriction on hours of parking. COMMISSIONER STEINMAN then stated that razor wire still remained along the east wall. MR. HANCOCK confirmed that statement. The Commissioner suggested the applicant consider getting a guard dog for the lot.

CHAIRMAN NIGRO suggested the applicant comply before the item is heard by City Council. He also suggested the applicant meet with DEPUTY CITY ATTORNEY SCOTT to discuss the Review of Condition process and any Code requirements relevant to barbed wire.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 30 – RQR-6122

MINUTES – Continued:

COMMISSIONER DAVENPORT felt an abeyance would be more appropriate than to send the item forward with a denial. CHAIRMAN NIGRO replied that the item would go to Council anyway and since the applicant has agreed to remove the wire, that action would keep the item moving forward. There was discussion over which action would be most appropriate.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:15 – 8:38)

2-1583

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Special Use Permit SUP-2203 and Required Review RQR-4669.
2. The Special Use Permit shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6057 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF AN EXISTING 448 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 19.68 acres at 8600 Starboard Drive (APN 163-08-601-005), R-PD23 (Residential Planned Development - 23 units per acre) Zone, Ward 2 (Wolfson).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following conditions:

- Trash enclosures shall be rebuilt to meet Code and maintained subject to approval of the standards of Planning & Development.
 - The number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.
- Motion carried with EVANS voting NO and TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development Department, explained the existing density of the

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 31 – SDR-6057

MINUTES – Continued:

conversion project complied with the underlying zoning. The project has been in existence since 1986 and when originally approved, it met parking and landscaping requirements. Measured against current Codes, the landscaping, parking and open space requirements are deficient. A field investigation found the site to be well maintained; however, if the Commission was to recommend approval, an additional condition pertaining to trash enclosures was suggested by staff.

ERNIE FREGGIARO, Integrity Engineering, 2480 East Tompkins Avenue, appeared on behalf of the applicant and commended staff for their analysis of the project. He reiterated that when constructed, the project did comply with all zoning and building criteria; however, the landscape and parking ordinances have changed substantially since that time. The site has 710 parking spaces and by Code, 801 are required. The project is well maintained and would continue to be maintained as a condominium development because the homeowners association would insure compliance. The Lakes Master Plan bylaws make provisions for conversions and that fact sets a precedent allowing this conversion. The applicant is unable to meet parking or landscaping requirements because to meet one requirement, the other would become more deficient.

COMMISSIONER McSWAIN stated that developers for other conversion applications have enhanced the existing landscaping materials to try and comply with the spirit of the landscaping requirement. She asked if the deficiency was in number of trees or if it related to the overall amount of space dedicated to landscaping. MARGO WHEELER, Planning and Development Department, indicated the parking area was deficient by 41 trees and the perimeter landscaping was 68 trees deficient. She confirmed that the parking area has no room for additional landscaping because there is no allocated space for landscaping in that area.

COMMISSIONER McSWAIN also commented that in comparing this project to other conversions approved, this site does not exhibit the character of a condominium project. She speculated that the site not being fenced or self-contained might be giving that impression. Her main concern was that of all the conversion projects that had come before the Board so far, the subject site looked the least like residential units and more like rentals. She asked if fencing the area or adding planting materials would be amenable to the applicant.

She also informed MR. FREGGIARO that the Commission would be having a workshop on the topic of conversions because they are becoming very common and the Commission has several concerns about the process.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 31 – SDR-6057

MINUTES – Continued:

MR. FREGGIARO stated that if the Commission wanted to approve the application with a condition that required the addition of planting materials, he would agree to it. If the Commission desired perimeter walls, he would take the suggestion to his client. CHAIRMAN NIGRO suggested attaching a condition that required a landscaping plan be added to show where additional trees could be planted. COMMISSIONER McSWAIN concurred but reiterated her concern about the project looking more like a rental development and not ownership property.

COMMISSIONER STEINMAN concurred and stated that when he drove the site, he found it to be very plain. He stated that the rental market is being depleted by the onslaught of conversion applications. The site must be enhanced to make it look less like a rental property. He would support a requirement that landscaping be brought up to Code. MR. FREGGIARO indicated the applicant would comply with such a condition but he did not want the Tentative Map to be held up by the application. Approval of the application with that condition, would allow the applicant to come back before the Commission with those improvements on the project's Tentative Map.

CHAIRMAN NIGRO stated he would also like to see the additional landscaping accomplished without diminishing the parking. Many of the other conversion projects that have come before the Board have proven that conversion-parking deficiencies is not a problem. He agreed with the context of the comments regarding the look of the conversion project but did not feel the Board was in a position to deny an application because it looked like a rental property. He suggested that perhaps a standard relating to that issue would eventually develop but currently, none exist.

COMMISSIONER EVANS agreed that there are global issues that have not been resolved regarding the conversion process. The Board has uncertainty over appropriate questions to ask and what the consequences might be of allowing too many conversions. He feared that the Board would regret approving too many applications without a complete understanding of the repercussions. He agreed with CHAIRMAN NIGRO that parking is not likely to cause an issue but the landscaping definitely needs to be enhanced.

MS. WHEELER suggested the addition of two conditions requiring the trash enclosures being rebuilt to meet Code and maintained subject to approval of the standards of Planning & Development and also that the number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.

COMMISSIONER McSWAIN confirmed with MR. FREGGIARO that the homeowners association for this project would operate under the umbrella association for the Lakes Master Association.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 31 – SDR-6057

MINUTES – Continued:

DEPUTY CITY ATTORNEY BRYAN SCOTT stated there was a separate association requirement for Commercial Subdivisions compared to a Residential Subdivisions within the Lakes and he questioned how the project would transfer between the two. MR. FREGGIARO reiterated that there was a provision in the Lakes bylaws that sets forth the procedure for that. DEPUTY CITY ATTORNEY SCOTT said he would look into it as well.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:38 – 8:57)

2-2587

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0024-86) and subsequent site-related actions, except as amended by conditions herein.
3. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 31 – SDR-6057

CONDITIONS – Continued:

5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Grant a Traffic Signal Chord Easement on the northwest corner of Durango Drive and Starboard Drive.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.
8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.
11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 31 – SDR-6057

CONDITIONS – Continued:

or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6058 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: LAKE EAST, LLC AND STARBOARD, LLC - Request for a Site Development Plan Review FOR THE PROPOSED CONVERSION OF AN EXISTING 448 UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 20.00 acres at 3001 Lake East Drive (APNs 163-08-701-001 and 163-08-603-001), R-PD23 (Residential Planned Development - 23 units per acre) Zone, Ward 2 (Wolfson).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends **DENIAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions and adding the following conditions:

- Trash enclosures shall be constructed and maintained to meet Code and is subject to approval of the standards of the Planning & Development Department.
 - The number of trees required on the project perimeter shall be provided to meet Code pursuant to a landscape plan to be submitted for review and approval by the Planning & Development Department.
 - Applicant shall remove the chain link fence located on the lot interior and replace it with wrought iron or tubular steel.
- Motion carried with EVANS voting NO and TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 32 – SDR-6058

MINUTES – Continued:

MARIO SUAREZ, Planning and Development Department, explained the existing density of the conversion project complied with the underlying zoning. When the project was originally approved, it met parking and landscaping requirements. Measured against current Codes, the landscaping, parking and open space requirements are deficient. The project is 43 trees deficient in the parking area and 21 trees deficient in the buffer area bringing the total deficiency to 64 trees. The open space requirement for the project is 7.39 acres and 7.1 acres is provided. A field investigation of the site found the site to be well maintained; however, staff suggested that a chain link fence, which currently surrounds the recreation area, be removed and replaced with a more decorative material such as wrought iron. MR. SUAREZ also suggested that a condition be imposed regarding the trash enclosure.

ERNIE FREGGIARO, Integrity Engineering, 2480 East Tompkins Avenue, appeared on behalf of the applicant and concurred with all conditions. He indicated that the applicant would accept additional conditions regarding the fence and trash enclosure. He also agreed to add additional trees to help reduce the landscaping deficiency. He asked if staff had a plant list or if a JACK ZANINO could make the recommendation for what types of trees to plant. The Board indicated that MR. ZANINO would know what was appropriate.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(8:57 – 9:01)

2-3632

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped 02/01/05, and with all applicable conditions of approval of Rezoning (Z-0004-85) and subsequent site-related actions, except as amended by conditions herein.
3. Prior to the submittal of a Final Map, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 32 – SDR-6058

CONDITIONS – Continued:

4. Prior to approval of any final map, the developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to either common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map.
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Grant a Traffic Signal Chord Easement on the southwest corner of Durango Drive and Starboard Drive.
7. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to recordation of a map for this site.
8. All active gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
9. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
10. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Evidence of payment is required with Final Map mylar submittal.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 32 – SDR-6058

CONDITIONS – Continued:

11. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map to discuss fire requirements for the proposed use of this facility.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6102 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: HARTCO - OWNER: JESUS IS LORD FELLOWSHIP, LAS VEGAS CHAPTER - Request for a Site Development Plan Review FOR A PROPOSED CHURCH AND WAIVERS OF BUILDING PLACEMENT, PERIMETER AND FOUNDATION LANDSCAPING STANDARDS on 2.44 acres adjacent to the west side of Marion Drive, approximately 530 feet north of Charleston Boulevard (APN 140-32-401-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

MARIO SUAREZ, Planning and Development, gave a brief overview of the application. The proposed church is approximately 8,8000 square feet. The proposed parking and setbacks are in compliance with Code. Staff supports the requested waivers.

GARY HART, Hartco, 3111 Bel Aire Drive, appeared with the church pastor, ROBERT AQUINO, 4365 East Boston Avenue, and concurred with all conditions.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 33 – SDR-6102

MINUTES – Continued:

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:01 – 9:03)

3-122

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. Waivers of the church building placement, perimeter and foundation landscaping standards of the commercial design standards of Title 19 shall be approved as follows:
 - The church building may be located more than 20 feet from the front lot line.
 - The perimeter trees along the south property line may be omitted.
 - The landscape island width along the south property line may be reduced from eight feet to five feet.
 - Landscaping around the church building foundation may be omitted.
3. One additional handicapped parking space shall be provided for a total of three. If the number of seats in the sanctuary exceeds 204 seats, then one additional parking space for each four spaces over 204 seats shall be provided.
4. Vacant property to the west of the proposed church shall not be developed until a Site Development Plan Review has been submitted and approved for this portion.
5. All development shall be in conformance with the site plan date stamped 03/08/05 and with the building elevations date stamped 02/08/05, except as amended by conditions herein.
6. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting on the proposed building shall utilize ‘shoe-box’ fixtures and downward-directed lights. Lighting shall be directed away from residential property or screened and shall not create fugitive lighting on the adjacent properties.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 33 – SDR-6102

CONDITIONS – Continued:

7. Any newly constructed property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the conditions of approval noted in this report.
9. The landscape plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the following:
 - Minimum 24-inch box evergreen trees planted a maximum of 20 feet on-center along the north property line.
 - Minimum of four five-gallon shrubs for each tree within provided planters.
 - Two trees planted within 15 feet of Marion Drive.
 - Trees planted at the ends of the northerly parking row.
 - Texas Ranger bushes planted 10 feet on center along the south perimeter wall.
10. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
11. The elevations shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a building permit to reflect the correct paint colors for the building.
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City code requirements and design standards of all City departments must be satisfied.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 33 – SDR-6102

CONDITIONS – Continued:

Public Works

16. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
17. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a.
18. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6109 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SHEA COMMERCIAL - OWNER: CENTENNIAL RANCH, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 104,398 SQUARE FOOT OFFICE CONDOMINIUM COMPLEX on 10.04 acres adjacent to the south side of Azure Drive, approximately 1,250 feet west of Tenaya Way (APNs 125-27-113-003 and 125-27-222-007), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 28, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6111 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JMA ARCHITECTURE STUDIOS - OWNER: CHARLESTON-3RD, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 20 STORY MIXED USE DEVELOPMENT CONSISTING OF 114 RESIDENTIAL CONDOMINIUM UNITS AND 6,200 SQUARE FEET OF COMMERCIAL/RETAIL SPACE, WITH WAIVERS FROM THE DOWNTOWN CENTENNIAL PLAN STREETScape, BUILD-TO-LINE AND BUILDING STEPBACK REQUIREMENTS on 0.44 acres at 1026 and 1036 South Third Street (APNs 139-34-410-091 and 092), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends this item be **HELD IN ABEYANCE** to the April 14, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-6140 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: GWEN BRAIMOH - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A 13,107 SQUARE FOOT COSMETOLOGY SCHOOL AND WAIVERS OF BUILDING SETBACK AND PERIMETER LANDSCAPING REQUIREMENTS on 0.99 acres on the west side of Stella Lake Street, approximately 600 feet south of Lake Mead Boulevard (a portion of APN 139-21-313-001), C-PB (Planned Business Park) Zone, Ward 5 (Weekly).

C.C.: 04/20/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL excused

To be heard by City Council 4/20/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, gave a brief overview of the application. The school would be located in the Las Vegas Enterprise Park on property owned by the City of Las Vegas. The Enterprise Park Architectural Review Committee has approved the plans. The development meets all Title 19 requirements with the exception of the setback from the south property line. The applicant is requesting a waiver to allow a seven-foot setback where 10 feet is required and to eliminate the landscaping requirements in that area. Staff supports this request

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 36 – SDR-6140

MINUTES – Continued:

because the applicant has offered to provide additional trees elsewhere on the site.

GWEN BRAIMOH, 8731 Abbey Ridge Avenue, appeared and concurred with all conditions.

COMMISSISONER GOYNES confirmed with MS. BRAIMOH the facility would be a cosmetology/beauty school and there would be no barber training. He wished her luck.

No one appeared in opposition.

CHAIRMAN NIGRO declared the Public Hearing closed.

(9:03 – 9:05)

3-187

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations date stamped 02/08/05, except as amended by conditions herein.
3. The site plan shall be revised and approved by staff of the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect one van accessible parking space and the conditions of approval listed herein.
4. The applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site prior to the submittal of a building permit, A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - Except along the south property line, a minimum of nine additional 24-inch box trees shall be planted in conformance with the Landscape, Wall and Buffer Guidelines of Title 19 and as discussed in this report.
 - A minimum of four five-gallon shrubs for each tree shall be provided within designated planters.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 36 – SDR-6140

CONDITIONS – Continued:

6. A Waiver shall be granted to omit the required landscaping between the proposed building and the south property line, subject to the following:
 - Two trees shall be provided along the south lot line in an eight-foot planter area south of the parking area.
 - One tree shall be provided along the south property line in an eight-foot planter area in front of the building.
7. Landscaping and a permanent underground sprinkler system shall be installed as required and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize “shoe-box” fixtures and downward-directed lights. Wall pack lighting shall utilize “shoe-box” fixtures and downward-directed lights on the proposed building.
10. All utility boxes exceeding 27 cubic feet in size meeting the standards of Title 19.12.050.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
12. All City code requirements and design standards of all City departments shall be satisfied.

Public Works

13. Construct all incomplete half-street improvements on Stella Lake Street adjacent to this site concurrent with development of this site. Also, if necessary and as required, remove all substandard public street improvements adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MARCH 24, 2005
Planning and Development Department
Item 36 – SDR-6140

CONDITIONS – Continued:

15. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
16. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-136-94, the Las Vegas Enterprise Park (commercial subdivision) and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-5773 – TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.06 of the Las Vegas Zoning Code in order to adopt regulations and define the boundaries of the Rural Preservation Overlay District.

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends **APPROVAL**.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 9 [SUP-5894], Item 10 [SDR-5893], Item 24 [VAR-6228], Item 25 [SDR-6105], Item 35 [SDR-6111] and Item 37 [TXT-5773] to the 4/14/2005 Planning Commission Meeting; Item 8 [ZON-5669] and Item 34 [SDR-6109] to the 4/28/2005 Planning Commission Meeting and WITHDRAW WITHOUT PREJUDICE Item 12 [VAR-5945] – UNANIMOUS with TRUESDELL excused

MINUTES:

There was no discussion.

(6:02 – 6:09)



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: MARCH 24, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 9:05 P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

STACEY CAMPBELL, DEPUTY CITY CLERK